

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

No. 3:17-CR-00625-K

LIMBIC PARTNERS, LLC

FACTUAL RESUME

In support of defendant Limbic Partners, LLC's (Limbic Partners) plea of guilty to the offense in Count One of the Information, Limbic Partners, by and through its counsel Daniel K. Hagood and its owners (Brian David Rudman, represented by Daniel K. Hagood; Herbert Cleighton Brown, represented by Brandon McCarthy; and Maulik Paresh Parikh, represented by Jeff Ansley), each of whom is separately represented, and the United States stipulate and agree to the following:

ELEMENTS OF THE OFFENSE

To prove the offense alleged in Count One of the Information, charging a violation of 18 U.S.C. §§ 1341 and 2, that is, Mail Fraud and Aiding and Abetting, the government must prove each of the following elements beyond a reasonable doubt:¹

- First.* That the defendant knowingly devised or intended to devise a scheme to defraud, that is, a scheme to submit false claims for reimbursement to Blue Cross Blue Shield and United Healthcare, as charged in the Information;
- Second.* That the scheme to defraud employed false material representations;
- Third.* That the defendant mailed something through the United States

¹ Fifth Circuit Pattern Jury Instruction 2.57 (5th Cir. 2015).

Postal Service for the purpose of executing such scheme or attempting so to do; and

Fourth. That the defendant acted with a specific intent to defraud.

STIPULATED FACTS

1. Limbic Partners, LLC admits and agrees that starting in or about April 2011 and continuing through April 2013, the defendant Limbic Partners did knowingly and intentionally devise and intend to devise a scheme to defraud Blue Cross Blue Shield and United Healthcare through the submission of medical billing claims for reimbursement when in truth and fact Limbic Partners knew that the claims were false and fraudulent because no services had been rendered for the billed claim.

2. Limbic Partners is a Texas limited liability company with its principal place of business in Irving, Texas. Limbic Partners is controlled by Brown, Rudman, and Parikh. The office of Limbic Partners is located at 5605 N. MacArthur Boulevard, 10th Floor, Irving, Texas.

3. Limbic Partners is the management company for a physician-owned anesthesia group that employed certified registered nurse anesthetists (CRNAs) and anesthesiologists who performed services at a number of hospitals and surgery centers in the Dallas/Fort Worth area. Limbic Partners billed for out-of-network for procedures that were performed by others. Company A was the billing company for Limbic Partners.

4. Limbic Partners directed employees at Company A to add anesthesiologists and CRNAs to claims for anesthesia services the provider did not perform and that Limbic Partners knew the provider did not perform.

5. Limbic Partners directed employees of Company A to substitute credentialed anesthesiologists on claims when the providing anesthesiologist was not credentialed with the patient's insurance company and could not provide a covered, reimbursable service. Limbic Partners caused to be submitted to Blue Cross Blue Shield and United Healthcare approximately \$3.4 million in false and fraudulent claims. Blue Cross Blue Shield and United Healthcare paid Limbic Partners approximately \$1,066,000 for these claims. Limbic Partners voluntarily refunded Blue Cross Blue Shield and/or United Healthcare approximately \$133,000; however, Limbic Partners still owes approximately \$933,000 in restitution.

6. Company A mailed the false claims to United Healthcare using the United States Postal Service. Specifically, on or about February 27, 2012, Limbic Partners caused Company A to place in the United States Postal Service a claim for beneficiary B.D. for anesthesia services that did not occur.

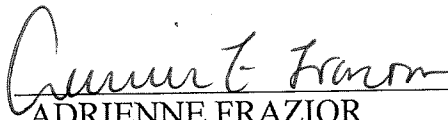
7. Mailing the claims to United Healthcare was intended by Limbic Partners to contribute to the successful continuation of the scheme because Limbic Partners would not be reimbursed for claims that were not submitted.

8. In addition, the submission of false claims resulted in United Healthcare and Blue Cross Blue Shield checks being mailed through the United States Postal Service to Company A for distribution to Limbic Partners.

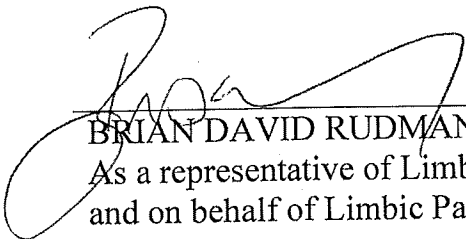
9. The defendant agrees that the defendant committed all the essential elements of the offense(s). This factual resume is not intended to be a complete

accounting of all the facts and events related to the offense charged in this case. The limited purpose of this statement of facts is to demonstrate that a factual basis exists to support the defendant's guilty plea to Count One of the Information.

AGREED TO AND STIPULATED on this 12th day of December, 2017.



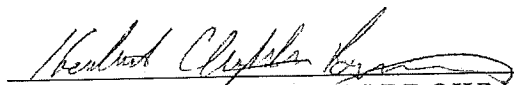
ADRIENNE FRAZIOR
Assistant United States Attorney



BRIAN DAVID RUDMAN
As a representative of Limbic Partners
and on behalf of Limbic Partners



DANIEL K. HAGOOD
Attorney for Limbic Partners and Brian
David Rudman



HERBERT CLEIGHTON BROWN
As a representative of and on behalf of
Limbic Partners



MAULIK PARESH PARIKH
As a representative of and on behalf of
Limbic Partners